

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CURTIS FIREBAUGH, an individual

\* \* \*

Plaintiff,

3:12-CV-00242-LRH-WGC

V.

THE UNITED STATES OF AMERICA;  
BRIAN BERTOLINI, an individual; TIM  
VEDDER, an individual; and DOES I-X,  
inclusive,

## ORDER

### Defendants.

Before the court is Plaintiff Curtis Firebaugh's Motion for Entry of Default against all defendants (#12<sup>1</sup>). Federal Rule of Civil Procedure 55(a) provides, "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default." Here, Firebaugh's motion was not supported by the proper showing, as the Clerk of Court informed him (#13). Firebaugh's motion will therefore be denied.

<sup>1</sup> Refers to the court's docket number.

1 IT IS THEREFORE ORDERED that Firebaugh's Motion for Entry of Default (#12) is  
2 DENIED.

3 IT IS SO ORDERED.

4 DATED this 2nd day of February, 2013.



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6 LARRY R. HICKS  
7 UNITED STATES DISTRICT JUDGE  
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